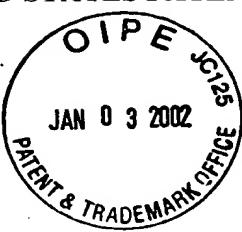


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nehls *et al.*

Application No.: 09/398,253

Filed: September 17, 1999

For: NOVEL HUMAN
POLYNUCLEOTIDES AND
POLYPEPTIDES ENCODED
THEREBY

Group Art Unit: 1631

Examiner: Kim, Y.

Attorney Docket No.: 8535-026-999

#15
Plunkett
1-17-02

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JAN 15 2002

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Assistant Commissioner for Patents

Box AF

Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated of the Primary Examiner finally rejecting claims 1, 3, 4, 10 and 11 of the above-identified application.

The item(s) checked below are appropriate:

1. An extension of time for responding to the final rejection for three months:
 - was filed on
 - is submitted herewith.
2. A timely response to the final rejection has been filed.
3. A fee in the amount of \$320.00 is:
 - Required.
 - Not required (Fee paid in prior appeal).
4. Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$160.00 is:
 - Required.
 - Not required (Fee paid in prior appeal).
5. Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 1150. A copy of this sheet is enclosed.

01 FC:219

01/17/2002

TP/PLUNKET

Date January 3, 2002
160.00 CH

Respectfully submitted,

Laura A. Coruzzi by: *D. C. Coruzzi* 40,258
Laura A. Coruzzi 30,742
(Reg. No.)

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